

From: Scott McCarty
To: Microsoft ATR
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Subject: The Microsoft Decision

The Freedom to Stifle Innovation

Will the Justice department has abdicate from its responsibility to protect business and consumers from Microsoft?

Long time readers of my Web site, www.GraphicPower.com, already know that I consider Microsoft to be the embodiment of evil business practices. Many innovative software companies have met their demise because Microsoft decided to put them out of business. I celebrated Judge Jackson's original verdict that ordered the breakup of the software monopoly. Jackson's only fault was getting so incensed by the arrogance, obfuscation, and obstructionism of the Microsoft defense, that he developed an obvious, if just, bias. What we have here is one of the most open, and shut cases of the century. Microsoft has stifled innovation, stolen concepts, and buried small developers for at least 15 years. Is it any wonder that Judge Jackson developed an attitude?

What Comes Next?

The bad news is that Microsoft will probably have another two years to intensify its stranglehold on the software industry. We are beginning to see some of Microsoft's new "innovations" in Microsoft Office XP. Installation of virtually any non-Microsoft application or utility can disable vital applications unexpectedly when you are away from your office and do not have access to your original software disks. Microsoft Office XP can prompt for the original CD to re-authorize your software while you are on a plane putting the finishing touches on a mission critical presentation. What this implies is that Microsoft is laying the OS groundwork for application expiration. No longer will our license to use the software that we buy be perpetual. Microsoft will be forcing users of their software to pay a licensing fee annually.

Microsoft is also positioning itself to be the sole developer of entire genre of applications. Look at what they did to Netscape. Netscape was a vital, profitable company? a leader in the development of Web browser software. They were on the verge of deploying Netscape communicator as a fully featured commercial application for, perhaps, \$35.00. Microsoft came along with Internet Explorer. They did not emasculate Netscape by simply producing a better product and giving it away for free. Microsoft made it difficult to even use Netscape. Many versions of Internet Explorer refused to download Netscape, and Internet Explorer has its hooks so deeply into the Windows operating system that uninstalling it is a bizarre ordeal. Then, Bill Gates rammed an anti-competitive deal down Steve Jobs gullet. Microsoft

would agree to continue support and development of Office for Mac only if Internet Explorer was the default browser for the Mac OS. MS also cast a \$150 million vote of confidence in Apple by the purchase of non-voting stock. It was extortion and bribery to insure that Netscape would never evolve into a commercial software product.

The Microsoft Juggernaut is poised to trample business and home users as well as software developers.

It is no surprise that Attorney General Ashcroft, the Justice Department, and the Bush administration would take a pro-business stance in the Microsoft case. Just what is the truly pro-business path? The only answer can be to break up Microsoft. The best scenario would be the breakup of Microsoft into three separate companies.

Operating Systems

Application Software

Internet Services

The current Microsoft strategy is to entwine their applications and Internet access into the operating system so tenaciously, that it will be difficult, even impossible for the average user, to install and successfully use non-Microsoft software. This would make the path of least resistance for most businesses to standardize on an all Microsoft suite of applications. Microsoft Access, SQL Server, and Exchange are all train wrecks. Business will have to conduct itself in frequent "crisis" mode while the IS department struggles with unstable business information systems. Cost of support will continue to skyrocket as these systems get more and more complex and require more thousands of dollars in training for IS managers to maintain their qualifications and competence. The Justice Department's decision to forge ahead with a weak response to Microsoft's illegal business practices will cost business a huge fortune. We may never know what went on behind closed doors between the Bush administration and Microsoft. This sudden reversal in policy makes the hair stand up on the back of my neck. I never thought anything like this could happen in the US, but then again, I never thought the Presidency could be stolen either.

Microsoft routinely withholds vital system call API's (application program interface) from developers. This gives MS the edge over everyone else in developing fully featured software for Windows. Part of the remedy MUST be that the MS operating systems division must share vital technical information about their operating system with all developers in exactly the same manner as with the Microsoft application division. For Example, I would like to see Star Office for Linux, Windows, and Mac OS be reasonably priced and compete directly with Microsoft Office for Linux, Windows, and Mac OS. We will never see Microsoft applications developed for Linux systems so long as Windows and application development are the same company.

Technological Genocide

Microsoft has actually been intensifying its anti-competitive strategy since the original verdict. Now that the verdict has been upheld, it is unlikely to be reversed no matter how many appeals Microsoft may file. The new evidence of Microsoft's accelerated stranglehold strategy should have been considered prior to any new remedy being imposed. The Justice Department should have been swift and sure, and not let Microsoft continue to suppress innovation and competition. Microsoft is demonstrating no remorse, no reform, taking no prisoners. What we are witnessing is technological genocide on a global scale. Avoidance of Microsoft software is not just a personal issue with me...it is a matter of socioeconomic ethics. The only way for us to stop this destructive force of evil is to refuse to use, sell, or support Microsoft products. Take a stand for freedom. Take a stand for innovation. Take a stand for the American Way. Be Microsoft free.

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